

JPW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN THE APPLICATION OF : Martyn Hurn
FOR : BUCKLE
SERIAL NO. : 10/672,536
FILED : September 26, 2003
EXAMINER : James R. Brittain
ART UNIT : 3677
CONFIRMATION NO. : 3722
ATTORNEY DOCKET NO. : TK8778US

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

This Information Disclosure Statement has been filed pursuant to the waiver issued by the U.S. Patent and Trademark Office on July 11, 2003, wherein the Office waived the requirement under 37 CFR 1.98(a)(2)(i) for submitting copies of each cited U.S. patent and each U.S. patent application publication, for all U.S. national patent applications filed after June 30, 2003 and for all international applications that have *entered the national stage* under 35 USC § 371 after June 30, 2003.

1. Pursuant to 37 C.F.R. 1.97 and 1.98, and in compliance with 37 C.F.R. 1.56, the Office's attention is directed to the patents, publications and other information listed on the attached form PTO-1449. The required copy of each document is enclosed *except for* documents previously cited by or submitted to the Office in a prior application(s) relied upon for an earlier filing date under 35 U.S.C. 120, said prior application(s) identified below:

Serial No.

Filing Date

2. Pursuant to 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed as a representation that a search has been made.

3. Pursuant to 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed as an admission that the information cited in this Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).

4. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth in the following document(s):

- ☐ Copy of each English language version of a search report by a foreign patent office in a counterpart foreign application, indicating the degree of relevance found by the foreign office of each document being submitted from the search report.
- ☐ Attachment entitled "Concise Explanation of Relevance of Non-English Language Documents."
- ☐ English -language abstract.
- ☐ 5. Pursuant to 37 C.F.R. 1.97(b) this Statement is being filed:
 - ☐ concurrently with the filing of the national application; or
 - ☐ within 3 months of the filing date of a national application; or
 - ☐ within 3 months of the date of the entry of the national stage as set forth in 37 CFR 1.491 in an international application; or
 - ☐ before the mailing date of a first Office Action on the merits.

{NOTE: Statements filed within the foregoing periods require neither a fee nor a Certification}

- (xx) 6. Pursuant to 37 C.F.R. 1.97(c) this Statement is being filed *after* the mailing date of a first Office Action on the merits but *before* the mailing date of either: a Final Office Action under 37 C.F.R. 1.113 or a Notice of Allowance under 37 C.F.R. 1.311, whichever occurs first. Accordingly, this Statement is accompanied by:

☐ Certification as specified in 37 C.F.R. 1.97(e); OR

(xx) The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

- ☐ 7. Pursuant to 37 C.F.R. 1.97(d) this Statement is being filed *after* the period specified in 37 C.F.R. 1.97(c), but *before or concurrent with* payment of the Issue Fee. Accordingly, this Statement is accompanied by:

A. Certification as specified in 37 C.F.R. 1.97(e); AND

B. The submission fee set forth in 37 C.F.R. 1.17(p). Enclosed is Form PTO-2038 authorizing the amount of \$180 to be charged to our credit card to cover the fee set forth in 37 C.F.R. 1.17(p) for consideration of this Statement.

- () 8. Statement filed *after* payment of Issue Fee, but *before* patent grant:

This Statement is being filed *after* payment of the Issue Fee, but *before* grant of the patent; accordingly it is understood that this Statement will *not* be considered. However, it is respectfully requested that this Information Disclosure Statement be placed in the application file. {NOTE: no fees or certification required}

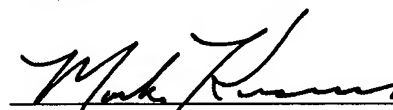
- () 9. CERTIFICATION under 37 C.F.R. 1.97 (e) (if applicable):

- () The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application not more than 3 months prior to the filing of this Information Disclosure Statement, OR
- () The undersigned hereby certifies that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. 1.56(c) more than 3 months prior to the filing of this Information Disclosure Statement.

The Commissioner is hereby authorized to charge any additional fees required for consideration of this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 50-0537, identifying our Docket No. TK8778US.

Respectfully submitted,

Date: 16 MAR 2005

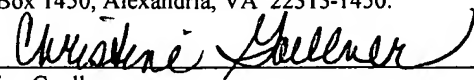

Mark Kusner
Registration No. 31,115

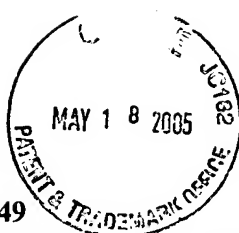
KUSNER & JAFFE
Highland Place – Suite 310
6151 Wilson Mills Road
Highland Heights, Ohio 44143
Telephone: (440) 684-1090
Facsimile: (440) 684-1095

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence (along with any paper referenced as being attached or enclosed) is being deposited on the below date with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to MAIL STOP AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date: May 16, 2005


Christine Goellner



Form PTO-1449

U.S. Patent Application No.: 10/672,536

Attorney Docket No.: TK8778US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE CITATION

In re application of: Martyn Hurn

Serial No: 10/672,536

Group No.: 3677

Confirmation No.: 3722

Filed: September 26, 2003

Examiner: James R. Brittain

For: BUCKLE

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

U.S. Patent Documents

Examiner Initials	Document Number	Date	Name	Class
	D491,101	6/2004	Hsu, Y-Li	D11/210
	D447,091	8/2001	Fildan et al.	D11/218
	D445,723	7/2001	Kim, Park	D11/218
	D217,895	6/1970	Burleson	D11/218
	3,121,270	2/1964	Den Broek Lourens et al.	24/312
	D157,386	2/1950	Lombardi	D11/218
	D133,265	8/1942	Kasen	D11/218
	D77,435	1/1929	Rigold	D11/218
	D184,191	12/1958	Noe	D11/220
	D356,658	3/1995	Bernart, Francis	D2/624
	2,269,696	1/1942	Shaulson	24/200
	779,279	1/1905	Hastings	24/321
	518,833	4/1894	Cooper	24/200
	348,871	9/1886	Wales	24/199
	745,884	12/1903	Morton	24/198
	837,103	11/1906	Nonnemacher	24/198
	1,221,741	4/1917	Johnson	24/169
	1,860,170	5/1932	Bronson, Walter T.	24/198
	2,099,199	11/1937	Devendor, John A. et al.	24/198
	2,267,235	12/1941	Ginnel, William S.	2/309
	2,293,562	8/1942	William Rosenthal	24/200

Examiner:

Date Considered:

****Examiner:** Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.